

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1557.00
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	April 17, 2000
DATE OF REPORT:	May 17, 2000
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	September 21, 2000

COMPLAINT ISSUES:

Whether the Pioneer Regional School Corporation and the Logansport Area Joint Special Services Cooperative violated:

511 IAC 7-10-3 with regard to the school's alleged failure to conduct an educational evaluation and convene a case conference committee within forty instructional days from the date of the parent's written request.

FINDINGS OF FACT:

1. The Student is fifteen years old and attends a local junior-senior high school (the "school"). She attends the general education ninth grade. At the time of the complaint the Student was being considered for special education services.
2. The Complainant states she wrote a letter dated January 5, 2000 requesting a special education evaluation and a behavior assessment that she hand-delivered to the local special education district office. The local special education director states that his office has no record of such letter. The Complainant did not keep a copy of the letter.
3. The Complainant completed and signed a referral for educational evaluation on January 7, 2000 in the local special education district office.
4. The Complainant completed and signed a parent consent for educational evaluation form dated February 16, 2000 in the local special education district office.
5. Based on the local school calendar, the educational evaluation had to be conducted and a case conference committee ("CCC") convened by April 19, 2000. However, the school's representative from the local special education district could not attend that day, and the CCC was scheduled for April 26, 2000.
6. Documentation shows that the educational evaluation was conducted on February 16, 2000 and the CCC was convened on April 26, 2000. The local school superintendent and the local special education director acknowledge that the forty instructional day timeline was exceeded.

CONCLUSIONS:

1. Findings of Fact #2 through #6 show that the school failed to conduct an educational evaluation and

convene a case conference committee within forty instructional days of the receipt of written parental consent for the Student. Therefore, a violation of 511 IAC 7-10-3 has occurred.

The Department of Education, Division of Special Education requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Pioneer Regional School Corporation and the Logansport Area Joint Special Services Cooperative shall:

1. In-service all appropriate general education and special education staff at the local school building level and staff at the Special Services office regarding the procedures for initiating an educational evaluation for special education services in accordance with the new procedures in the revised Article 7. The in-service must include procedures for initiation of an educational evaluation by parent request and prevention of delays. Documentation that the in-service training has been completed must be submitted to the Division by June 15, 2000 and should include the following: a list or agenda of all issues discussed, copies of any handouts that were distributed, and a list of attendees by name and title.
2. Develop a "tracking system" and procedures for communication between the Special Services office and the local school building for initiation of referrals for evaluation to ensure that a time delay does not occur. Procedures must address how all appropriate parties at the local school building and the Special Services office are made aware of all referrals. Documentation of compliance must be submitted to the Division by June 15, 2000.